

JOINT RULES RESOLUTION ON PROCEDURE

2019 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This rules resolution amends and enacts provisions related to legislative procedure.

Highlighted Provisions:

This resolution:

- ▶ provides authority to the legislative general counsel to correct technical errors in legislative rule;
- ▶ addresses the circumstances under which the Senate or House of Representatives may amend or substitute legislation after it passes both houses; and
- ▶ makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR3-2-901

JR4-3-108

ENACTS:

JR1-1-103

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR1-1-103** is enacted to read:

JR1-1-103. Legislative general counsel to correct certain technical errors in legislative rules.

The legislative general counsel may correct technical errors in the Rules of the Utah Legislature in preparing the rules for publication, including:

- (1) adopting a uniform system of punctuation, capitalization, numbering, or wording;
- (2) eliminating duplication or the repeal of rules directly or by implication, including renumbering when necessary;

- 33 (3) correcting defective or inconsistent rule or paragraph structure in the arrangement
34 of the subject matter of existing rules;
35 (4) eliminating obsolete or redundant words;
36 (5) correcting obvious errors or inconsistencies including those involving punctuation,
37 capitalization, cross references, numbering, or wording;
38 (6) changing the boldface to more accurately reflect the substance of each rule, part,
39 chapter, or title; and
40 (7) merging or determining priority of any amendments, enactments, or repealers to the
41 same rule provisions.

42 Section 2. **JR3-2-901** is amended to read:

43 **JR3-2-901. Appointment and chairs -- Notice.**

44 (1) (a) If the Senate refuses to concur in the House amendments to a Senate bill, the
45 secretary of the Senate shall notify the House of the refusal and ask the House to recede from
46 its amendments.

47 (b) Either house may recede from its position on any difference existing between the
48 two houses by a majority vote of its members.

49 (c) (i) If the House refuses to recede, the speaker shall appoint a conference committee
50 of three.

51 (ii) After making the appointment, the speaker shall:

52 (A) publicly announce the House members of the conference committee and the time
53 and place that the conference committee will meet;

54 (B) ensure that no more than two of the appointees are members of the majority party;
55 and

56 (C) direct House staff to provide electronic notice that identifies the House members of
57 the conference committee and the time and place of the conference committee meeting.

58 (d) If the speaker does not immediately appoint a conference committee, the president
59 may appoint a conference committee as provided in Subsection (2)(c).

60 (e) After the Senate refuses to concur in the House amendments to a Senate bill, the
61 House may not amend or substitute the bill, unless:

62 (i) the sole effect of the amendment or substitute is to recede from one or more House
63 amendments to the bill; or

64 (ii) the amendment or substitute is part of a conference committee report.

65 (2) (a) If the House refuses to concur in the Senate amendments to a House bill, the
66 chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from
67 its amendments.

68 (b) Either house may recede from its position on any difference existing between the
69 two houses by a majority vote of its members.

70 (c) (i) If the Senate refuses to recede, the president shall appoint a conference
71 committee of three.

72 (ii) After making the appointment, the president shall:

73 (A) publicly announce the Senate members of the conference committee and the time
74 and place that the conference committee will meet;

75 (B) ensure that no more than two of the appointees are members of the majority party;
76 and

77 (C) direct Senate staff to provide electronic notice that identifies the Senate members
78 of the conference committee and the time and place of the conference committee meeting.

79 (d) If the president does not immediately appoint a conference committee, the speaker
80 may appoint a conference committee as provided in Subsection (1)(c).

81 (e) After the House refuses to concur in the Senate amendments to a House bill, the
82 Senate may not amend or substitute the bill, unless:

83 (i) the sole effect of the amendment or substitute is to recede from one or more Senate
84 amendments to the bill; or

85 (ii) the amendment or substitute is part of a conference committee report.

86 (3) (a) Whenever the president or speaker appoints a conference committee, the
87 secretary of the Senate or chief clerk of the House shall:

88 (i) immediately notify the other house of the action taken; and

89 (ii) request the appointment of conference committee members from that other house.

90 (b) After receiving the notice and request, the presiding officer of the other house shall:

91 (i) appoint a conference committee of three;

92 (ii) publicly announce the members of the conference committee from that house and
93 the time and place that the conference committee will meet; and

94 (iii) direct staff to provide electronic notice that identifies the members of the

conference committee and the time and place of the conference committee meeting.

(4) (a) The first senator named on the conference committee is the Senate chair of the committee, and the first representative named on the conference committee is the House chair.

(b) The conference committee chairs shall direct the preparation of the conference committee report.

Section 3. **JR4-3-108** is amended to read:

JR4-3-108. Consideration and action on amendments to legislation made in the other chamber.

(1) (a) If the Senate amends and passes, or substitutes and passes, a piece of House legislation, the House:

(i) must either "concur" or "refuse to concur" in the amendments or substitute[-]; and

(ii) may not amend or substitute the legislation.

(b) (i) If the House concurs, the legislation shall be voted on for final passage in the House.

(ii) If the legislation passes, the chief clerk of the House shall notify the Senate, obtain the signatures required by JR4-6-101, and send the legislation to the Office of Legislative Research and General Counsel for enrolling.

(c) If the House refuses to concur in the Senate amendments or substitute to a piece of House legislation, the chief clerk of the House and the House shall follow the procedures and requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

(2) (a) If the House amends and passes, or substitutes and passes, a piece of Senate legislation, the Senate:

(i) must either "concur" or "refuse to concur" in the amendments or substitute[-]; and

(ii) may not amend or substitute the legislation.

(b) (i) If the Senate concurs, the legislation shall be voted on for final passage in the Senate.

(ii) If the legislation passes, the secretary of the Senate shall notify the House, obtain the signatures required by JR4-6-101, and send the legislation to the Office of Legislative Research and General Counsel for enrolling.

(c) If the Senate refuses to concur in the House amendments or substitute to a piece of Senate legislation, the secretary of the Senate and the Senate shall follow the procedures and

126 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.